

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**WASTE MANAGEMENT OF OHIO,  
INC.** : **CASE NO. 3:91cv81**

**Plaintiff,**

**JUDGE WALTER H. RICE**

**v.**

**DAYTON, CITY OF**

:

**Defendant.**

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**ORDER OF DISMISSAL; TERMINATION ENTRY**

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The Court having been advised by counsel for the parties that the above matter has been settled, **IT IS ORDERED** that this action is hereby **DISMISSED**, with prejudice as to the parties, provided that any of the parties may, upon good cause shown **within 60 days**, reopen the action if settlement is not consummated.

Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Ins. Co. of America*, 114 S.Ct. 1673 (1994), and incorporate appropriate language in any substituted judgment entry.

The Court will retain jurisdiction to enforce the terms of the settlement between the parties, if necessary.

**IT IS SO ORDERED.**

*/s/ Walter H. Rice* \_\_\_\_\_

WALTER H. RICE, JUDGE  
UNITED STATES DISTRICT COURT